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SUBJECT: UNSC CDI SANCTIONS COMMITTEE GROUP OF EXPERTS'
DIAMOND REQUEST

REF: S/AC.45/2009/GE/OC.107

¶1. This is an action request. USUN is requested to send, through David Biggs in the Secretariat, a letter to the Group of Experts established pursuant to resolution 1842 of October 29, 2008 concerning Cote d'Ivoire. Resolution 1842 renewed the measures overseen by the Committee established pursuant to resolution 1572 (2004) concerning Cote d'Ivoire. Those measures include an arms embargo, targeted asset freeze and travel ban for those designated by the Committee, and a ban on importation by any State of all rough diamonds from Cote d'Ivoire. The letter to the Group of Experts conveys information on the steps taken by the United States to comply with the Cote d'Ivoire diamond ban.

¶2. BEGIN LETTER:

In response to the May 6, 2009 letter from the Group of Experts established pursuant to Security Council resolution 1842 (2008) concerning Cote d'Ivoire, the United States wishes to inform the Group of Experts that U.S. authorities have implemented procedures to control the importation of rough diamonds from Cote d'Ivoire. As appropriate and necessary, U.S. authorities communicate with the Working Group of Diamond Experts of the Kimberley Process, in order to evaluate whether a shipment in question may contain Ivorian diamonds. For example, this process was followed in connection with an April 2009 seizure in New York. Through these case-by-case communications, and with the direct assistance of the Working Group of Diamond Experts, U.S. authorities benefit from the footprint that continues to be developed by the Working Group.

The United States also notes that, through the State Department and U.S. Geological Survey, it has assisted the Kimberley Process Working Group on Diamond Experts in recent years with the development of a diamond production footprint specifically for Ghana. This has furthered efforts to help diamond-importing countries identify the origins of rough diamonds, particularly from countries, such as those in the region of Cote d'Ivoire, which export diamonds from artisanal production.

Additionally, the United States wishes to inform the Group of Experts that U.S. authorities have carried out the rough diamond investigations listed below. Please note, however, that these seizures and investigations relate to alleged non-compliance with the various provisions of the Clean Diamond Trade Act, rather than any specific concerns that the rough diamonds may have originated in Cote d'Ivoire:

- 2009: Three shipments seized: one case resolved through administrative process, and two cases remain open and pending within the appropriate administrative processes.

- 2008: Ten shipments seized: five cases resulted in administrative forfeiture, and five were resolved through administrative processes.

- 2007: Twelve shipments seized: six cases resulted in administrative forfeiture, two cases were judicially forfeited, three cases were resolved through administrative and judicial processes, and one case remains open in the U.S. Second Circuit Court of Appeals.

- 2006: Eight shipments seized: three resulted in administrative forfeiture, four were resolved through administrative and judicial processes, and one resulted in a judicial settlement and forfeiture.

END LETTER

13. The Department appreciates the Mission's assistance.
CLINTON